

REMARKS/ARGUMENTS

Upon entry of this Amendment, claims 60-66 will be pending.

In order to materially advance prosecution of this application but without intending to abandon the broader subject matter thereof, all of the pending claims are replaced by new claims which specify that the lipid mobilizing agent is a Zn- α_2 -glycoprotein, the polypeptide moiety thereof having the sequence shown in SEQ ID NO:1 or a trypsin digestion product thereof and having an apparent molecular mass of at least 6 kDa, for example, about 7 kDa. Support for the new claims 64-66, which are directed to the trypsin digestion product is supported, for example, on page 7, lines 1-2 and page 31, lines 17-28 and page 32, lines 1-2.

Accordingly, no new matter is added.

The Applicants respectfully submit that the invention as presently claimed is within the spirit and guidelines of 35 U.S.C. § 112, first and second paragraphs and that all claims are novel over the prior art references cited in the Office Action.

Specifically, with regard to the latter, neither Araki or Ohkubo discuss any particular utility for Zn- α_2 -glycoprotein, much less a pharmaceutical composition and, especially, such pharmaceutical composition in unit dosage form or containing a "pharmacologically effective amount" of lipid mobilizing agent. Accordingly, because not all of the claimed limitations are taught in the cited art, the Applicants request reconsideration and withdrawal of the 35 U.S.C. § 102(b) rejections in each of paragraph 10 (for claims 31-43 and 45, over Araki *et al*) and paragraph 11 (31-43 and 45-47, over Ohkubo *et al*).

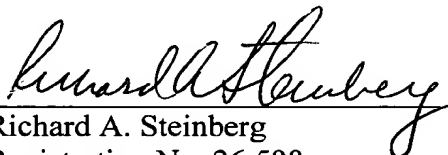
As for the rejections under 35 U.S.C. § 112, first paragraph, for lack of written description and enablement, the Action acknowledges that there is written description and enablement for the embodiment of SEQ ID NO:1. Furthermore, although not specifically identified as being enabled and part of the written description, in view of the exemplification of the functional digestion product "which still retains the biological activity of functioning as a lipid mobilising agent" (*see*, page 31, lines 17-28) also the lipid mobilizing agent which is the digestion product of Zn- α_2 -glycoprotein, of which the polypeptide moiety has the sequence shown in SEQ ID NO:1, and having an apparent mass of at least 6 kDa, such as about 7 kDa, is in compliance with the first paragraph of 35 U.S.C. §112 and, therefore, claims 64-66, which are directed to this embodiment, are also in condition for allowance.

Therefore, all objections and rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

Should any issues remain unresolved, the Examiner is encouraged to contact the undersigned attorney for Applicants at the telephone number indicated below in order to expeditiously resolve any remaining issues.

Respectfully submitted,

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